

# The Impact of Criminal Alien Violence

*Administration's immigration policies under scrutiny at congressional hearing*

BY REP. TREY GOWDY (R-SC), CHAIRMAN

*On Tuesday, April 19, 2016, the House Committee on the Judiciary, Subcommittee on Immigration and Border Security, held a hearing on immigration and border security. The following are opening remarks from Chairman Trey Gowdy (R-SC).*

**G**OWDY: The committee will come to order. This is a subcommittee hearing on immigration and border security. I want to welcome all of our witnesses and our guests. Without objection, the chair is authorized to declare recesses of the committee at any time.

I also want to say this, too, because I always say it. We're delighted to have guests, but the witnesses deserve to be heard and the members need to hear what the witnesses have to say. So this will be the only — one and only warning that anyone gets with respect to decorum. If there is a disturbance, you'll be removed.

With that, welcome again to our witnesses. The way that we will conduct it is we will give opening statements and then I'll recognize each of you individually for opening statements. And then the members will be recognized for questioning.

With that, I would recognize myself for an opening statement. I want to begin again by thanking the witnesses for being here today. I cannot imagine the pain that you have endured and still endure or the courage it takes to talk about the loss of a child.

Well-meaning people can talk about closure, but when it comes to the loss of a child or loved ones to an act of violence or recklessness, there is no closure. And there is no moving on. There is an omnipresent void and a daily reminder that impacts every facet of life. Losing a child is a life sentence in and of itself.

The loved ones of those killed by acts of violence or recklessness have to reconcile the finality of death with the certainty of separation and, in some instances,

the reality that many of these tragedies could have been avoided. That's what I want to talk about today. How eminently avoidable some of these tragedies are.

*Illegal immigration is not a victimless crime.* [The] current state of the law, or the refusal to enforce certain aspects of our law, allow[s] for the release of tens of thousands of criminal aliens into American communities.

This has, and will continue to have, real and tragic consequences. So it's imperative that we understand this. Regardless of your political ideation and, frankly, regardless of your views on immigration reform, surely we can all agree that protecting the public from violence and lawlessness is the preeminent function of government.

Whatever else you may think government can or should be doing, national security and public safety have to make the list somewhere. For me, they make the top of the list. And I think that's true for most people, *which is why it is unconscionable that between October of 2011 and December of 2014, ICE released criminal aliens over 100,000 times.*

According to ICE, those released have been convicted of more than 10,000 assaults, more than 800 sexual assaults, more than 400 homicide-related offenses, and more than 300 kidnappings. Today, there are over 350,000 known criminal aliens in the United States who are not detained by ICE — 350,000.

That number may not get your attention. Statistics rarely do. So I want you to think about it this way. The number of criminal aliens living in the United States not in custody, not separated from society, is larger than the city of Pittsburgh, Pennsylvania, larger than the city of Lexington, Kentucky, larger than the city of Anaheim, California.

Can you imagine a city the size of Pittsburgh [comprised solely people] who are here unlawfully, who have also committed another crime? You would be outraged. You would not stand for it. And you would demand immediate action. So why do we allow that same city to be disbursed among the broader country?

These are not merely statistics. These are tragic real stories of human suffering. Fathers and mothers, and sisters and brothers, and friends and neighbors across the

---

*Trey Gowdy, a lawyer and former prosecutor, is the U.S. Representative from South Carolina's 4th congressional district.*

United States have lost loved ones at the hands of criminal aliens. Some of them are sitting in [this] very room today.

In May of 2010, Hermilo Moralez was arrested for stalking his girlfriend. He was in the United States illegally. But he wasn't deported. He wasn't detained. Six months later, Hermilo Moralez got a ride from Joshua Wilkerson, an 18-year-old high school senior from Pearland, Texas. Joshua thought he and Moralez were friends.

Joshua wound up beaten, strangled, tortured, and ultimately killed. He was bound and his body burned and dumped in a field. Moralez was in the country illegally then, too. After his arrest, Moralez was leading investigators to Joshua's dead body when he attempted to take possession of a detective's gun.

Oh, I have met the so-called DREAMers and valedictorians. And I have listened to witnesses. Some of them sat in this very room and argued for full, unmitigated citizenship for all 12 million aspiring U.S. citizens.

That was what we were asked to do, a path to citizenship for all 12 million. And when those witnesses were pressed on background checks on whether all 12 million really were aspiring citizens, the silence was deafening.

It is just as inaccurate to categorize all 12 million as DREAMers and valedictorians as it is to characterize all 12 million as criminals. But once this government is on notice that in addition to breaking immigration laws, some insist on breaking other laws, there is no justification for inaction.

Sarah Root was a 21-year-old with a beautiful, full life ahead of her. She graduated college with a 4.0. She aspired to work in forensics. That caught my attention. She wanted to dedicate her life to solving crime so victims could have justice, so perpetrators would be punished and to clear the innocent. That is the purpose of our justice system.

It's a shame she never got a chance to work in it. She was struck from behind and killed by Eswin Mejia. Mejia was a Honduran national who illegally entered the United States as an unaccompanied minor in 2013. He was then placed in the custody of his brother, who is also an illegal alien.

Mr. Mejia is accused of drag racing in Omaha, Nebraska, with a blood alcohol more than three times the legal limit when he killed Sarah. After being charged with felony motor vehicle homicide, he was given a \$50,000 bond by a state judge. This allowed him to be released after posting just 10 percent, \$5,000.

The purpose of bond is to protect the public and to ensure the defendant appears at scheduled court appearances. Risk of flight is really one of only two factors the judge has to be bothered with considering, risk of flight

and danger to the community. Check and check. But a paltry bond was set, nonetheless.

State authorities say they contacted ICE numerous times to notify the agency of Mejia's elevated flight risk. In fact, state authorities say they requested ICE take custody of Mr. Mejia. But ICE denied the request and he walked right out of jail.

Now, ICE spokesmen claim Mr. Mejia would not be detained because his arrest did not meet ICE's enforcement priorities. How in the hell somebody here illegally, who operates a vehicle at a high rate of speed at three times the legal rate of impairment, and kills a 21-year-old girl, doesn't meet priorities of ICE, is precisely why so little people have confidence in this administration's policies and priorities, and precisely why so many people are angry and fed up with the current state of immigration enforcement.

If killing a young woman while racing in an impaired state and being here illegally in the first place does not meet priorities, then perhaps your priorities are wrong.

This administration loves to talk about families being separated. Politicians love to talk about families being separated. Preachers love to talk about families being separated. That's the common mantra when discussing immigration and why they refuse to enforce current law. But I want to make sure my fellow citizens are clear about this.

This administration and the politicians and the preachers are not talking about the families sitting at the table this morning. They're not talking about the separation that comes from burying your child. They're not talking about the separation of whatever you told your daughter being the last thing you will ever tell your daughter because she was shot walking beside you walking on a pier in San Francisco, or because she was killed by somebody driving three times the legal rate of impairment.

Separation is a mother living with the reality that her son left for school in the morning and was killed with his body set on fire before nightfall. That is separation. That is permanent.

I wish this administration talked a little more about it, but mainly I wish they *did* a little more about it. Just yesterday, the lawyer for the president was at it again. This time at the United States Supreme Court arguing for the non-enforcement of the law, arguing for the wholesale failure to enforce the law.

And he said this: "The damage that would be reaped by tearing apart families." If you want to see that damage, Mr. Solicitor General, if you want to see what tearing apart looks like, I hope you're watching this morning. With that, I would recognize the ranking member. ■